**THE HON'BLE SRI JUSTICE V.V.S.RAO**

WRIT PETITION No.985 of 2007

Dated: 18.01.2007

Between:

Smt. S. Saraswathi.

**..... PETITIONER**

AND

The Collector, Ranga Reddy District, and others.

**.....RESPONDENTS**

**THE HON'BLE SRI JUSTICE V.V.S. RAO**

WRIT PETITION No.985 of 2007

ORDER:

The petitioner purchased land in survey No.48/AA situated at Yenkepally Village, Pudur Mandal, Ranga Reddy District, from M/s Gandeti Kumar, Gandeti Sathyamma, Gandeti Satyanarayana and Gandeti Sridhar under a registered sale deed. She obtained necessary mutation from first respondent and pattadar passbooks from the Mandal Revenue Officers concerned. Statedly she obtained necessary permission from Gram Panchayat and constructed a farmhouse and compound wall. Fourth respondent, namely, the Mandal Revenue Officer (MRO) initiated action under the provisions of the Andhra Pradesh Land Encroachment Act, 1905 (the Act, for brevity). After issuance of a notice under Section 7 of the Act dated 02.12.2006, the petitioner's husband submitted a representation on 13.12.2006 to MRO, *inter alia*, contending that the land is not Government land. After considering the same, MRO passed order dated 15.01.2007 under Section 6 of the Act alleging that the petitioner occupied the Government land to an extent of Ac.1.00 taking advantage of the fact that the same is adjacent to his land. Aggrieved by the same, instant writ petition is filed.

The learned Assistant Government Pleader for Revenue (General-T) opposed the writ petition on the ground that the petitioner has an effective alternative remedy under Section 10 of the Act by way of an appeal before third respondent, namely, the Revenue Divisional Officer(RDO). This Court is finds force in the submission. Therefore, without expressing any opinion on the merits of the case, while ordering *status quo* as on today for a period of one week, the writ petition is disposed of giving liberty to the petitioner to file appeal before RDO within a period of one week from the date of receipt of a copy of this order and obtain necessary interim orders. No costs.

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(**V.V.S.RAO, J**)

18th January, 2007

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